THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :4224 of 2006

DATED:29-03-2007

BETWEEN:

Ram Kumar.

..... PETITIONER

AND

The Station House Officer,
Shadnagar Police Station,
Mahabubnagar & another.

.....RESPONDENTS

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Home appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 1st respondent in registering Cr.No.49 of 2006, dated 28-01-2006, against the petitioner though he is not involved in the said crime and is nothing to do with the offence said to have been committed in the said case by others, as illegal and arbitrary.

3. A Counter has been filed stating that based on the complaint of the 2nd respondent, the said crime was registered but after investigation it is established that there is no evidence about the involvement of the petitioner in the said offence and subsequent investigation so far made discloses that no offence is established against the petitioner and therefore, the name of the petitioner from the array of the accused has been deleted and is cited as a witness only. It is further stated that the petitioner was neither arrested nor threatened to be arrested.

4. In view of the aforesaid denial made in the counter no orders are necessary to be passed in this Writ Petition. Accordingly, the Writ Petition is dismissed. No order as to costs.

V.ESWARAIAH, J

29th March, 2007
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